

EXHIBIT 25

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
Case No. 1:15-cv-00109-MR

SANDRA M. PETERS, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

AETNA INC., AETNA LIFE INSURANCE
COMPANY, and OPTUMHEALTH CARE
SOLUTIONS, INC.,

Defendants.

)
)
)
)
) **PLAINTIFF’S SECOND**
) **SUPPLEMENTAL AND**
) **AMENDED RESPONSES TO**
) **AETNA’S FIRST SET OF**
) **INTERROGATORIES**
)
)
)
)

Pursuant to Federal Rules of Civil Procedure 26 and 33, Plaintiff Sandra M. Peters, through the undersigned counsel, hereby supplements and amends her January 12, 2017 Responses and Objections (the “Responses”) to Aetna Inc.’s and Aetna Life Insurance Company’s (collectively, “Aetna”) First Set of Interrogatories.

GENERAL RESPONSES AND GENERAL OBJECTIONS

1. Plaintiff hereby incorporates the General Responses and General Objections from the Responses into these Supplemental and Amended Responses as if those objections were fully set forth therein.

SUPPLEMENTAL AND AMENDED RESPONSES AND OBJECTIONS

Interrogatory No. 1:

Identify each claim for benefits that is at issue in the Complaint.

Supplemental and Amended Response:

Plaintiff objects to this Interrogatory as overbroad and unduly burdensome to the extent it asks Plaintiff to list every claim for health care services at issue for the putative classes. Plaintiff specifically objects to this Interrogatory as a premature contention interrogatory and will respond on the basis set forth in her General Objections. Plaintiff reserves the right to amend or supplement this Interrogatory response, in particular (and without limitation) because expert discovery in this matter has not been completed. Plaintiff further objects to the extent this interrogatory seeks a legal conclusion or legal argument. Plaintiff will make legal arguments in legal memoranda to be filed with the Court in connection with motion practice, and reserves the right to modify or supplement this response in her own filings and in her response to any relevant motions or arguments Defendants present to the Court.

Subject to and without waiving the foregoing objections, Plaintiff refers Aetna to the revised version of Exhibit A attached hereto. To the best of Plaintiff's current knowledge, Exhibit A includes each of her claims for health care services as to which Plaintiff and/or her ERISA plan, the Mars, Incorporated Health Care

Plan (the “Plan”), were overcharged as a result of the practice by which Aetna compensates Optum on a claim-by-claim basis and assesses member and plan responsibility for a claim based on the amount of that compensation, rather than on the amount that the provider of clinical services agrees to receive for the services that are the subject of the claim.

Interrogatory No. 2:

For each claim for benefits identified in response to Interrogatory No. 1, state the amount of benefits and/or other monetary relief that you seek.

Supplemental and Amended Response:

Plaintiff objects to this Interrogatory as overbroad and unduly burdensome to the extent it asks Plaintiff to list every claim for health care services at issue for the putative classes and state the benefits and/or monetary relief sought as to those claims. Plaintiff specifically objects to this Interrogatory as a premature contention interrogatory and will respond on the basis set forth in her General Objections. Plaintiff reserves the right to amend or supplement this Interrogatory response, in particular (and without limitation) because expert discovery in this matter has not been completed. Plaintiff further objects to the extent this interrogatory seeks a legal conclusion or legal argument. Plaintiff will make legal arguments in legal memoranda to be filed with the Court in connection with motion practice, and reserves the right to modify or supplement this response in her own filings and in her response to any relevant motions or arguments Defendants present to the Court.

Subject to and without waiving the foregoing objections, Plaintiff refers Aetna to the revised preliminary computation attached as Exhibit A hereto. To the best of Plaintiff's current knowledge, Exhibit A includes each of her claims for health care services for which she seeks benefits, monetary damages, and/or other appropriate equitable relief for Defendants' overcharges, on either her own behalf or on behalf of the Plan. In addition to these remedies, Plaintiff is seeking additional relief on behalf of the putative classes as further detailed in her other responses to Defendants' interrogatories and her pleadings.

Dated: May 24, 2018

As to objections:

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*Attorneys for Plaintiff Sandra M. Peters,
on behalf of herself and all others
similarly situated*

CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2018, I served the foregoing by electronic mail upon the following counsel of record:

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/s/ Jason M. Knott

VERIFICATION

I, Sandra M. Peters, hereby state that the responses set forth in the foregoing Second Supplemental Responses to Aetna's First Set of Interrogatories are true and correct to the best of my knowledge, information, and belief. I verify under penalty of perjury that the foregoing is true and correct.

Dated: May 27, 2018

Sandra M. Peters
Sandra M. Peters

EXHIBIT A TO PLAINTIFF'S SECOND AMENDED AND SUPPLEMENTAL RESPONSES TO AETNA'S 1ST SET OF INTERROGATORIES

Peters v. Aetna, et al.

No. 1:15-cv-109-MR (W.D.N.C.)

May 24, 2018

Date of Service	Provider	Allowed Amount Reported on EOB	Provider Contracted Rate	Patient Cost-Sharing Responsibility on EOB	Amount Provider Directed to Collect from Patient	Patient Cost-Sharing Responsibility on EOB times Provider Contract Rate	Overcharge to Peters	Plan Cost-Sharing Responsibility on EOB	Amount Assessed to Plan on EOB and Collected from Plan	Plan Cost-Sharing Responsibility on EOB times Provider Contract Rate	Overcharge to Plan
6/13/2013	Carolina Chiropractic Plus	\$ 70.58	\$ 46.00	20%	\$ 14.12	\$ 9.20	\$ 4.92	80%	\$ 56.46	\$ 36.80	\$ 19.66
6/24/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 41.00	20%	\$ 14.18	\$ 8.20	\$ 5.98	80%	\$ 56.71	\$ 32.80	\$ 23.91
7/2/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 41.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 41.00	\$ 29.89
7/5/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	20%	\$ 14.18	\$ 10.60	\$ 3.58	80%	\$ 56.71	\$ 42.40	\$ 14.31
7/8/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	20%	\$ 14.18	\$ 10.60	\$ 3.58	80%	\$ 56.71	\$ 42.40	\$ 14.31
7/15/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 53.00	\$ 17.89
7/18/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	20%	\$ 14.18	\$ 10.60	\$ 3.58	80%	\$ 56.71	\$ 42.40	\$ 14.31
8/1/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 53.00	\$ 17.89
8/14/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 53.00	\$ 17.89
9/12/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 53.00	\$ 17.89
9/13/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 53.00	\$ 17.89
9/16/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 68.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 68.00	\$ 2.89
9/18/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 68.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 68.00	\$ 2.89
9/19/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 68.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 68.00	\$ 2.89
9/23/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 68.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 68.00	\$ 2.89
9/25/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 68.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 68.00	\$ 2.89
9/26/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 58.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 58.00	\$ 12.89
9/30/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 53.00	\$ 17.89
10/3/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 58.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 58.00	\$ 12.89
10/7/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 58.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 58.00	\$ 12.89
10/14/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 53.00	\$ 17.89
10/16/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 53.00	\$ 17.89
10/22/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 36.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 36.00	\$ 34.89
10/30/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 53.00	\$ 17.89
11/6/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 53.00	\$ 17.89
11/13/2013	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	0%	\$ -	\$ -	\$ -	100%	\$ 70.89	\$ 53.00	\$ 17.89
4/2/2014	Carolina Chiropractic Plus	\$ 70.89	\$ 34.00	20%	\$ 14.18	\$ 6.80	\$ 7.38	80%	\$ 56.71	\$ 27.20	\$ 29.51
4/16/2014	Carolina Chiropractic Plus	\$ 70.89	\$ 34.00	20%	\$ 14.18	\$ 6.80	\$ 7.38	80%	\$ 56.71	\$ 27.20	\$ 29.51
4/28/2014	Carolina Chiropractic Plus	\$ 70.89	\$ 34.00	20%	\$ 14.18	\$ 6.80	\$ 7.38	80%	\$ 56.71	\$ 27.20	\$ 29.51
5/12/2014	Carolina Chiropractic Plus	\$ 70.89	\$ 34.00	20%	\$ 14.18	\$ 6.80	\$ 7.38	80%	\$ 56.71	\$ 27.20	\$ 29.51
6/4/2014	Carolina Chiropractic Plus	\$ 70.89	\$ 34.00	20%	\$ 14.18	\$ 6.80	\$ 7.38	80%	\$ 56.71	\$ 27.20	\$ 29.51
6/18/2014	Carolina Chiropractic Plus	\$ 70.89	\$ 34.00	20%	\$ 14.18	\$ 6.80	\$ 7.38	80%	\$ 56.71	\$ 27.20	\$ 29.51
7/2/2014	Carolina Chiropractic Plus	\$ 70.89	\$ 34.00	20%	\$ 14.18	\$ 6.80	\$ 7.38	80%	\$ 56.71	\$ 27.20	\$ 29.51
7/16/2014	Carolina Chiropractic Plus	\$ 70.89	\$ 34.00	20%	\$ 14.18	\$ 6.80	\$ 7.38	80%	\$ 56.71	\$ 27.20	\$ 29.51
7/23/2014	Carolina Chiropractic Plus	\$ 70.89	\$ 53.00	20%	\$ 14.18	\$ 10.60	\$ 3.58	80%	\$ 56.71	\$ 42.40	\$ 14.31
8/28/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
9/3/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
9/5/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
9/8/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
9/10/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
9/12/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
9/16/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
9/18/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
9/24/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
9/25/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
9/30/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
10/1/2014	Carolina Chiropractic Plus	\$ 70.89	\$ 36.00	20%	\$ 14.18	\$ 7.20	\$ 6.98	80%	\$ 56.71	\$ 28.80	\$ 27.91
10/2/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
10/6/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
10/9/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
10/14/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
10/21/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18

10/23/2014	PRO Physical Therapy	\$ 87.72	\$ 70.00	20%	\$ 17.54	\$ 14.00	\$ 3.54	80%	\$ 70.18	\$ 56.00	\$ 14.18
11/17/2014	Carolina Chiropractic Plus	\$ 70.89	\$ 36.00	0%	-	-	-	100%	\$ 70.89	\$ 36.00	\$ 34.89
11/19/2014	Carolina Chiropractic Plus	\$ 70.89	\$ 58.00	0%	-	-	-	100%	\$ 70.89	\$ 58.00	\$ 12.89
11/24/2014	Carolina Chiropractic Plus	\$ 70.89	\$ 58.00	0%	-	-	-	100%	\$ 70.89	\$ 58.00	\$ 12.89
12/15/2014	Carolina Chiropractic Plus	\$ 70.89	\$ 58.00	0%	-	-	-	100%	\$ 70.89	\$ 58.00	\$ 12.89
TOTAL					\$ 151.42			\$ 994.07			